

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBIN M. LEE,
 Plaintiff,

v.

HENDERSON DETENTION CENTER et al.,
 Defendants.

2:13-cv-1850-JCM-CWH

SCREENING ORDER

I. DISCUSSION

Plaintiff, who is a prisoner at the Honolulu Federal Detention Center, has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983¹ and has filed an application to proceed *in forma pauperis*, three motions to allow his action to proceed *in forma pauperis*, and a motion for leave of court to file an amended complaint. (ECF No. 1, 1-1, 2, 3, 4, 5).

Plaintiff's application to proceed *in forma pauperis* is incomplete. Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff has not submitted a financial certificate or a complete inmate account statement. (See ECF No. 1). As such, the *in forma pauperis* application is denied without prejudice. The court will retain plaintiff's civil rights complaint (ECF No. 1-1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to cure the deficiencies of his application to proceed *in*

¹ In the complaint, plaintiff sues defendants Henderson Detention Center and Chief Moers for events that took place while plaintiff was incarcerated at the Henderson Detention Center. (See ECF No. 1-1).

1 *forma pauperis*, or in the alternative, pay the full filing fee for this action. If plaintiff chooses
2 to file a new application to proceed *in forma pauperis* he must file a fully complete application
3 to proceed *in forma pauperis*.

4 The court also denies plaintiff's motions asking the court to allow him to proceed *in*
5 *forma pauperis*. (ECF No. 2, 3, 4). The court will determine plaintiff's ability to proceed *in*
6 *forma pauperis* upon receipt of a fully complete application to proceed *in forma pauperis*.

7 To the extent that plaintiff wishes to submit an amended complaint, the court grants
8 plaintiff's motion and directs plaintiff to attach the amended complaint to his fully complete
9 application to proceed *in forma pauperis*.

10 **II. CONCLUSION**

11 For the foregoing reasons, IT IS ORDERED that plaintiff's application to proceed *in*
12 *forma pauperis* (ECF No. 1) is DENIED without prejudice to file a new application.

13 IT IS FURTHER ORDERED that the clerk of the court SHALL SEND plaintiff the
14 approved form application to proceed *in forma pauperis* by a prisoner, as well as the document
15 entitled information and instructions for filing an *in forma pauperis* application.

16 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
17 plaintiff shall either: (1) file a **fully complete** application to proceed *in forma pauperis*, on the
18 correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or
19 (2) pay the full filing fee of \$350.

20 IT IS FURTHER ORDERED that if plaintiff does not timely comply with this order,
21 dismissal of this action may result.

22 IT IS FURTHER ORDERED that the clerk of the court shall retain the complaint (ECF
23 No. 1-1), but shall not file it at this time.

24 IT IS FURTHER ORDERED that the motions asking for the court to allow plaintiff to
25 proceed *in forma pauperis* are DENIED (ECF No. 2, 3, 4).

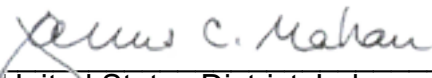
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1 IT IS FURTHER ORDERED that the motion seeking leave to file an amended complaint
2 (ECF No. 5) is GRANTED. Plaintiff is directed to submit an amended complaint to his fully
3 complete application to proceed *in forma pauperis* or with the full filing fee of \$350.

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6 DATED: This 18th day of February, 2014.

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8 
9 United States District Judge